

Article - Public Safety

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§3–524. NOT IN EFFECT

**** TAKES EFFECT JULY 1, 2022 PER CHAPTER 60 OF 2021 ****

- (a) This section shall be known as the Maryland Use of Force Statute.
- (b)
 - (1) In this section the following words have the meanings indicated.
 - (2) “Law enforcement agency” has the meaning stated in § 3–201 of this title.
 - (3) “Police officer” means:
 - (i) a police officer as defined in § 3–201 of this title; or
 - (ii) a special police officer as defined in § 3–301 of this title.
 - (4) “Serious physical injury” has the meaning stated in § 3–201 of the Criminal Law Article.
- (c) Each police officer shall sign an affirmative written sanctity of life pledge to respect every human life and act with compassion toward others.
- (d)
 - (1) A police officer may not use force against a person unless, under the totality of the circumstances, the force is necessary and proportional to:
 - (i) prevent an imminent threat of physical injury to a person;or
 - (ii) effectuate a legitimate law enforcement objective.
 - (2) A police officer shall cease the use of force as soon as:
 - (i) the person on whom the force is used:
 - 1. is under the police officer’s control; or
 - 2. no longer poses an imminent threat of physical injury or death to the police officer or to another person; or

(ii) the police officer determines that force will no longer accomplish a legitimate law enforcement objective.

(e) A police officer shall:

(1) when time, circumstances, and safety allow, take steps to gain compliance and de-escalate conflict without using physical force;

(2) intervene to prevent or terminate the use of force by another police officer beyond what is authorized under subsection (d) of this section;

(3) render basic first aid to a person injured as a result of police action and promptly request appropriate medical assistance; and

(4) fully document all use of force incidents that the officer observed or was involved in.

(f) A police supervisor shall:

(1) respond to the scene of any incident during which a police officer used physical force and caused serious physical injury; and

(2) gather and review all known video recordings of a use of force incident.

(g) A law enforcement agency shall:

(1) have a written de-escalation of force policy; and

(2) adopt a written policy requiring supervisory and command-level review of all use of force incidents.

(h) A police officer shall:

(1) undergo training on when a police officer may or may not draw a firearm or point a firearm at a person and enforcement options that are less likely to cause death or serious physical injury, including scenario-based training, de-escalation tactics and techniques, and reasonable alternatives to decrease physical injury; and

(2) sign a training completion document stating that the officer understands and shall comply with the Maryland Use of Force Statute.

(i) (1) A police officer may not intentionally violate subsection (d) of this section, resulting in serious physical injury or death to a person.

(2) A police officer who violates paragraph (1) of this subsection is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 10 years.

(3) A sentence imposed under this subsection may be separate from and consecutive to or concurrent with a sentence for any crime based on the act establishing a violation of this subsection.

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